

**ENTERED**

October 24, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROY K. GREENE,

Plaintiff,

v.

THE STATE OF TEXAS,

Defendants.


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CIVIL ACTION NO. H-18-2150

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND  
DISMISSING PLAINTIFF'S CLAIMS WITHOUT PREJUDICE**

This court has reviewed the Memorandum and Recommendation of United States Magistrate Judge Bryan signed on September 27, 2018, and made a *de novo* determination. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that dismissal was properly granted and the complaint properly dismissed because the court lacks subject-matter jurisdiction over Greene's claims. The Magistrate Judge's recommendation to dismiss Greene's federal claims under 42 U.S.C. § 1983 are consistent with and supported by the applicable legal standards and the allegations in the complaint.

SIGNED on October 24, 2018, at Houston, Texas.

  
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Lee H. Rosenthal  
Chief United States District Judge